

PROVIDING AN ELECTED MAYOR, CITY COUNCIL, AND NONVOTING
DELEGATE TO THE HOUSE OF REPRESENTATIVES FOR THE
DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES

JULY 7, 1959.—Ordered to be printed

Mr. HARTKE, from the Committee on the District of Columbia,
submitted the following

R E P O R T

[To accompany S. 1681]

The Committee on the District of Columbia, to whom was referred the bill (S. 1681) to provide an elected mayor, city council, school board, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes, after full consideration report favorably thereon with amendments and recommend that the bill, as amended, do pass.

The committee adopted a number of amendments to the bill as introduced. The majority of these amendments were of a clarifying and conforming nature, and are discussed in detail in a summary of the bill by titles later in this report.

HISTORY OF LEGISLATION

Three measures were considered by the committee on the subject of home rule for the District of Columbia. These included two bills, S. 659, introduced by Mr. Bible, by request of the Board of Commissioners of the District of Columbia; S. 1681, introduced by Mr. Morse, and Senate Joint Resolution 10, also introduced by Mr. Morse. Hearings were held upon the measures on April 15, 16, 17, 20, 30, May 1, and 15, 1959, at which oral testimony was received from 47 witnesses including 6 Senators and 6 Congressmen. In addition written statements and communications were received from 39 individuals including 3 Senators and 6 Congressmen.

The preponderance of the testimony received supported home rule in principle. It was noted by the committee that in many instances witnesses who testified in favor of S. 659, when pressed, indicated that they did so on the basis that it was the measure most likely to be favorably considered by the Congress and the Executive, although

their basic preference was for the greater degree of self-government contained in S. 1681.

It was the feeling of the committee that most careful consideration has been given to the matter and that the reported measure is the broadest delegation of municipal franchise rights that it is feasible and proper to provide in order to restore self-rule in a workable form to the inhabitants of the District.

The 1959 hearings upon this subject represent the continuation of a legislative process initiated with the introduction of H.R. 3545 of the 43d Congress on June 1, 1874. Since that time through the 85th Congress, 41 home rule bills have been placed before 17 biennial sessions of the Congress. The Senate has had reported to it, starting in 1949 but prior to the reporting of the present bill, five measures of which four have been passed. None have been enacted.

With but perfecting changes, S. 1681 is the descendant of S. 669 of the 84th Congress which passed the Senate on June 29, 1955, and of S. 1289 of the 85th Congress which was laid aside by the committee in favor of S. 1846 (a bill comparable to S. 659 of the present Congress), providing for territorial status for the District which measure passed the Senate on August 6, 1958.

The controlling constitutional provision respecting the District is article I, section 8, clause 17:

*Congress shall have power * * * To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, * * *.*

The first government of the city of Washington consisted of a mayor, appointed by the President, and a city council, elected by the people of the city. This was in 1802. In 1812, the city council was permitted to elect the mayor of Washington, and in 1820 and thereafter the mayor was elected by the people. This government continued until 1871.

By an act of Congress, February 21, 1871, the corporations of Washington and of Georgetown were abolished and a territorial form of government, consisting of a governor and board of public works, and a legislative assembly, was set up. The legislative assembly consisted of a council of 11 members, and a house of delegates of 22 members. The District also had a Delegate in the House of Representatives. The Governor, the Board of Public Works, and the Council were appointed by the President. The 22 members of the house of delegates were elected by the people. The District of Columbia had a Delegate in the House of Representatives until 1875.

This form of government lasted 3 years, or until June 20, 1874, when Congress provided that the District of Columbia should be governed by three Commissioners, appointed by the President. This was known as a temporary form of government, and lasted until July 1, 1878, when the present permanent commission government was set up. In the creation of the temporary commission form of government in 1874, and the permanent form in 1878, no provision was made for the franchise and so, for the first time in three-quarters of a century, no part of the District exercised the right of suffrage.

In 1878, the expense of the Federal City was borne jointly by the District and the United States, on a 50-50 basis. In 1922, this was

changed to a 60-40 ratio, and in 1938 the share of the United States was changed legally to a lump sum, which today is approximately 10 percent of the general fund.

The reported measure has had the benefit of careful study and technical amendments which were incorporated in previous bills as the result of suggestions made by authorities in the fields of public administration and finance. This is especially the case with respect to bonding provisions of the measure.

PURPOSE OF THE BILL

The purpose of the bill is to convey to the greatest extent permissible municipal home rule to the residents of the National Capital, thus restoring the powers of local self-government suspended in 1874. This grant is a delegation of the powers of the Congress contained in article I, section 8, clause 17 of the Constitution of the United States, which pertains only to those matters municipal as distinguished from those national in scope.

The delegation is given with the express reservation that the Congress may at any time revoke or modify the delegation in whole or in part, and further that the Congress may take such action as, in its wisdom, it deems desirable with respect to any municipal action taken by the people or the government of the municipality under the authority of the charter. The Congress would continue to initiate local legislation should it so desire. Thus, the Congress, under the terms of this bill, retains full residual, ultimate and exclusive legislative jurisdiction over the District in conformity with the constitutional mandate.

The bill would establish the District of Columbia as a body politic and corporate in perpetuity which would be the successor of the present commission form of government. Provision is made for an elected mayor and an elected nine-man council to exercise the municipal authorities conveyed to the District. The mayor and council would take over the functions of the present Board of Commissioners, which would be abolished. The District Council would be endowed with local legislative power, including taxing and borrowing power, subject to certain enumerated restrictions and to the overriding power of Congress to repeal, amend, or initiate local legislation and to modify or revoke the charter itself. This endowment of local power would relieve the Congress of the detail of District affairs, as has been done in the case of the Territories.

In addition, the office of a nonvoting elected Delegate to the House of Representatives is incorporated in the bill in order that the Congress may be kept currently informed as to the needs of the District which cannot be met through the local instrumentalities. His duties, powers, and privileges are those accorded the Delegate from a Territory.

The District Council would have authority to decide how the school system should be administered. For example, the Council might prescribe an elective school board, an appointive school board, or even a department of education with a single administrator at its head.

The members of the Board of Elections (a presently existing agency created by the District of Columbia Primary Act of August 12, 1955) shall continue in office for the remainder of the terms for which they were appointed. Their successors would be appointed, without regard

to political affiliations, by the Mayor, by and with the consent of the Council. In addition to its other duties, the Board of Elections would conduct registrations and nonpartisan elections as provided for in the bill.

By the District of Columbia Primary Act of August 12, 1955, establishing a formal system of registration by party and election of party officials and delegates to the national political conventions under the supervision of a board of elections, the Congress gave the citizens of the District of Columbia their first taste of suffrage since 1874.

The objectives underlying the bill are threefold: (1) To relieve the Congress of the detail of District affairs, as has been done in the case of the Territories, while still retaining the control in Congress required by the Constitution; (2) to provide self-government in local matters for the residents of the District of Columbia; and (3) to provide an efficient and economical government for the District of Columbia.

The bill provides that on a date to be fixed by the Board of Elections, not more than 9 months after the enactment of this act, a referendum shall be conducted to determine whether the registered qualified electors accept the charter. As used in titles XIII and XIV of the bill, the term "charter" means titles I to XI, both inclusive, and titles XV, XVI, and XVII. If the charter is accepted the proposed municipal government would then succeed the present commission form in accordance with the terms of the bill. Should the charter be rejected by the qualified electors, then the present commission form of government would be retained. The definition of a qualified elector will be found in title VIII of the bill and is covered in the summary of the bill by titles.

A summary of the bill, by titles, follows:

TITLE I—DEFINITIONS

Contains definitions of principal terms used in the bill.

TITLE II—STATUS OF THE DISTRICT

Incorporates the District of Columbia as a body politic and corporate in perpetuity for governmental purposes. Provides that all the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia, and that the boundary line between the District of Columbia and the Commonwealth of Virginia remains unchanged.

TITLE III—THE DISTRICT COUNCIL

Creates a District Council consisting of nine members elected as provided in title VIII. The qualifications for members of the Council are set forth as follows: (1) A qualified elector; (2) is domiciled in the District and resides in the ward from which he is nominated; has, during the 3 years next preceding his nomination, resided and been domiciled in the District and has for 1 year preceding his nomination resided and been domiciled in the ward from which he is nominated; (3) holds no other elective public office; and (4) holds no appointive office for which compensation is provided out of District funds.

The compensation for such members is fixed at \$8,500 per annum for the Chairman and \$6,500 for members.

The powers of the present Board of Commissioners are transferred to the Council, except those conferred on the Mayor, and the Board of Commissioners is abolished.

The Board of Education is abolished, and its functions are transferred to the Council for exercise in such manner and by such person or persons as the Council may direct.

The Zoning Commission, the Public Utilities Commission, the Redevelopment Land Agency, the Armory Board and the National Capital Housing Authority are abolished and their functions transferred to the Council. Powers of the Council and the qualified electors, and the limitations on those powers are spelled out. The Commission on Mental Health, the National Zoological Park, the Washington Aqueduct, the National Guard of the District of Columbia, or any Federal agency are specifically excluded from the authority of the District government.

The qualified electors and the Council are prohibited from passing any act inconsistent with or contrary to any provision of any act of Congress as it specifically pertains to any duty, authority, and responsibility of the National Capital Planning Commission, except as to membership on the National Capital Planning Commission and the National Capital Regional Planning Council as regards to the Engineer Commissioner or the Board of Commissioners.

The bill makes explicit the constitutional power of Congress to legislate at any time with respect to the District of Columbia.

Jurisdiction over the municipal courts shall vest with the Council. Any person to be appointed or elected after the date of enactment of this act shall hold office for a term of not less than 10 years and receive a salary not less than the amount payable to an associate judge of the municipal court.

The bill provides for the election from its members of a Chairman and a Vice Chairman of the Council, the appointment of a secretary as its chief administrative officer with duties as specified in the bill, and such assistants and clerical personnel as may be necessary, the calling of the first and regular meetings, the establishment of committees, the scope and form of acts and resolutions, and the procedure for the adoption and passage of zoning acts. The Council is empowered to conduct investigations, and to issue and enforce subpoenas.

TITLE IV—MAYOR

Creates the office of Mayor to be elected as provided in title VIII. The qualifications for holding the office of Mayor are as follows: (1) A qualified elector; (2) is domiciled and resides in the District and has during the 3 years next preceding his nomination been resident in and domiciled in the District; (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. His salary is to be \$15,000 annually, with an allowance for official expenses of not more than \$2,500 annually. The bill confers on him usual administrative powers and duties, including the power to appoint personnel in the executive branch of the government and to remove such personnel in accordance with applicable laws and regulations. The Mayor would have full authority to execute the powers and duties imposed upon him by law, including the authority to redelegate functions to subordinate officials as he deems necessary. The Mayor shall keep the Council advised of the

financial condition and future needs of the District, and make such recommendations to the Council as may seem to him desirable. The Mayor is empowered to veto acts of the Council; they may be passed over his veto by vote of two-thirds of the members of the Council.

TITLE V—THE DISTRICT BUDGET

The fiscal year of the District of Columbia is fixed by the bill, and the preparation and adoption of the budget is provided for. The Council is empowered to rescind previously appropriated funds then available for expenditure, or to appropriate additional funds.

TITLE VI—BORROWING

The District is authorized to incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget, with a restriction that the aggregate debt, including debt owed to the Treasury of the United States, is not to exceed 12 percent of the average assessed value of the taxable real and tangible personal property of the District as of the 1st day of July of the 10 most recent fiscal years for which such assessed values are available. The bill provides that new debt would have to be approved by the voters except that, within the 12 percent limitation, debt up to 2 percent (in the aggregate) of the assessed valuation of taxable real and personal property could be authorized by the Council without approval of the voters. The Council shall make provision for the payment of any bonds issued pursuant to this title, and the bill sets forth the provisions which must be contained in an act authorizing the issuing of bonds.

The Council is authorized to issue supplemental notes in a total amount not to exceed 5 percent of the total appropriations for the current fiscal year if there are no unappropriated funds available to meet supplemental appropriations. Such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective. Short term notes may be issued in anticipation of revenues in an amount not to exceed 20 percent of the total anticipated revenue for the current fiscal year.

Bond acts of the District shall, where necessary, provide for the levy annually of a special tax without limitation of rate or amount upon all taxable real and personal tangible property in the District in amounts, which, together with other revenues of the District available and applicable for such purposes, will be sufficient to pay principal and interest as these fall due. In addition, the full faith and credit of the District for the payment of the principal and interest on all bonds and notes is pledged.

Bonds and notes issued by the Council and the interest thereon would be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

The bill would permit national banks, Federal building and loan associations and Federal savings and loan associations and banks, trust companies, building and loan associations, and savings and loan associations domiciled in the District of Columbia, to underwrite and

trade in public bonds or notes of the District issued pursuant to this title.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

This title provides for the bonding of employees of the District, and the Mayor is charged with the administration of the financial affairs of the District. He must prepare and submit the annual budget estimates and budget message; supervise and be responsible for all financial transactions: maintain systems of accounting and internal control; submit to the Council a monthly financial statement, by appropriation and department; prepare at the end of each fiscal year a complete financial statement; supervise and be responsible for the assessment of all property subject to assessment within the District; supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues; have custody over all public funds belonging to or under the control of the District; and have custody of all investments and invested funds of the District.

The Council may provide for the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and the allocation to new items of funds appropriated for contingent expenditure. The bill provides that no officer or agency of the District shall expend or contract to expend any money for any purpose in excess of amounts available under appropriations therefor, except expenditures for capital improvements to be financed in whole or in part by the issuance of bonds.

The bill provides for an independent audit by the General Accounting Office in accordance with rules and regulations prescribed by the Comptroller General. Such audit reports as the Comptroller General deems necessary shall be submitted to the Congress, the Mayor, and the Council. The Mayor, with the advice and consent of the Council, and the Director of the Bureau of the Budget are given power to enter into agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

TITLE VIII—ELECTIONS IN THE DISTRICT

The bill continues the Board of Elections as established by the District Primary Act. Successors to the present Board, after their terms have expired, would be appointed without regard to political affiliations by the Mayor, by and with the advice and consent of the Council, for a term of 3 years. The Board is charged with maintaining a permanent registry; conducting registrations and elections; determining appeals; printing, distributing, and counting ballots; dividing the District into three wards as nearly equal as possible in population and of geographic proportions as nearly regular as possible; establishing voting precincts; operating polling places, certifying election results, and other duties. The Board is given authority to prescribe such regulations as may be necessary for the purposes of the act, and the salary of each member is fixed at the rate of \$1,500 per annum. Present law provides compensation for Board members at \$25 per day while performing duties.

The Board of Elections shall conduct a general election in each even-numbered year commencing with 1960, and in any odd-numbered calendar year commencing with 1961, if an act authorizing the issuance of bonds as required by section 602 to be submitted for a referendum at an election is enacted at least 40 days prior to the date for conducting the election in such year.

General elections are to be held on the fourth Tuesday before the Tuesday in November prescribed for runoff elections. The latter are to be held on the first Tuesday after the first Monday in November.

The offices to be filled by election are members of the Council, the Mayor, and the District Delegate. Members of the Council shall be elected for 2-year terms beginning on January 1 of the odd-numbered year following such election. The Mayor shall be elected for a 4-year term beginning on January 1, 1961, and on January 1, following such election, of every other odd-numbered year thereafter. The District Delegate shall be elected for 2 years beginning at noon on January 3 of the odd-numbered year following such election.

The bill provides a procedure for the recall of any elective officer of the District of Columbia by the qualified electors of the District. The petition to be filed demanding the recall by such qualified electors of any elective officer must be signed by not less than 25 percent of the number of qualified electors voting at the last preceding general election. The petition must set forth the reasons for such demand, and be filed with the Secretary of the Council.

On the ballot at such election shall be printed in not more than 200 words the reason for demanding the recall of any elective officer, and in not more than 200 words, the officer's justification or answer to such demands. No petition demanding the recall of any officer shall be circulated until he has held office for a period of 6 months.

The Board of Elections is authorized to prescribe such regulations as may be necessary with respect to the form, filing, examination, amendment, and certification of petition for recall, and with respect to the conduct of any special election held for this purpose.

Vacancies in the office of Mayor or in the Council are to be filled at the next general election. It is provided that until a vacancy in the office of Mayor or in the Council can be filled in a general election, a vacancy in the office of Mayor shall be filled by appointment by the Council, and a vacancy in the Council shall be filled by appointment by the Mayor.

In the event the office of Delegate becomes vacant at a time when the unexpired term is 6 months or more, a special election is authorized.

A qualified elector shall be a person who has maintained a domicile or place of abode in the District continuously during the 1-year period ending on the date of the election; who is a citizen of the United States; who is on the day of election at least 21 years of age; who has never been convicted of a felony or, if so convicted, has been pardoned; who is not mentally incompetent as adjudged by a court of competent jurisdiction and who certifies that he has not, within 1 year immediately preceding the election, voted in any election at which candidates for any municipal offices (other than in the District of Columbia) were on the ballot. The term "municipal office" as used in the bill means an office of any governmental unit subordinate to a State or Territorial government.

The bill provides that no persons shall be registered unless he shall be able to qualify otherwise as an elector on the day of the next elec-

tion; he executes a registration affidavit on a form prescribed by the Board of Elections showing that he will meet on election day all the requirements of a qualified elector. An appeal procedure is provided for a person who is not permitted to register.

The bill provides for two methods of nominations: (1) a declaration of candidacy without petition but with a filing fee equal to 5 percent of the annual compensation of the office for which nomination is sought or (2) a nominating petition signed in the case of District Delegate or Mayor by 600 qualified electors registered in the District, and in the case of a candidate for the Council 300 qualified electors registered in the ward from which nomination is sought. Elections are to be nonpartisan. The ballot is to show the wards from which each candidate, other than the District Delegate and Mayor, has been nominated. Each voter is entitled to vote for nine candidates for the Council, not more than three from each ward, and one candidate for District Delegate, and one candidate for Mayor. Absentee voting will be permitted under regulations adopted by the Board of Elections.

The bill contains an amendment to the Hatch Act by adding the District of Columbia to section 16 thereof, which provides that—

Whenever the United States Civil Service Commission determines that, by reason of special or unusual circumstances which exist in any municipality or other political subdivision, in the immediate vicinity of the National Capital in the States of Maryland and Virginia or in municipalities, the majority of whose voters are employed by the Government of the United States, it is in the domestic interest of persons to whom the provisions of this act are applicable, and who reside in such municipality or political subdivision, to permit such persons to take an active part in political management or in political campaigns involving such municipality or political subdivision, the Commission is authorized to promulgate regulations permitting such persons to take an active part in such political management and political campaigns to the extent the Commission deems to be in the domestic interest of such persons.

Provision for challenging voters and for appeals to the Board of Elections are made. Poll watchers are authorized, and a procedure is set up pertaining to recounts parallel to that of the District Primary Act with a modification to take care of referendums. The petitioner must deposit a sum of \$20 for each precinct to be recounted. The fee is refunded if the election result is changed by the recount. The petition is to the Board of Elections, and is filed by qualified candidates in the elections. In the case of referendums, since there are no candidates in a referendum, any person who voted in any election is eligible to petition the Board for a recount of votes case on a referendum question.

Violations of any provision of this title or regulations published under its authority are declared misdemeanors and penalties are provided.

TITLE IX—MISCELLANEOUS

Except where the terms of intergovernmental contracts are prescribed by other provisions of law, the District and Federal Governments are authorized to contract with each other for the rendition

services in order to prevent duplication of effort and to otherwise promote efficiency and economy. Such contracts are to be negotiated by the Federal and District authorities concerned and be approved by the Director of the Bureau of the Budget and by the Mayor, by and with the advice and consent of the Council. Such contracts will provide for payment for the actual cost of furnishing such services.

The costs to each Federal officer and agency in furnishing services to the District pursuant to any such contract is to be paid out of appropriations made by the Council to the District officers and agencies to which they are furnished.

The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such contract shall be paid from appropriations made by the Congress to such Federal officers and agencies.

No member of the Council and no other officer or employee of the District shall have any financial interest direct or indirect in any contract or sale to which the District is a party.

Except for the qualifications already enumerated, no person is ineligible to serve or to receive compensation as a member of the Council or the Board of Elections because he occupies another office or position or receives compensation from another source. The right of a person to another office under the laws of the United States shall not be abridged by the fact of his service as a member of the Council or the Board of Elections if such service does not interfere with the discharge of his duties in the other office.

The U.S. Civil Service Commission is authorized to render advice and assistance to the new government in the development of a merit system.

TITLE X—SUCCESSION IN GOVERNMENT

Whenever the functions of any existing agency or officer are transferred under the bill the personnel (except the members of Boards or Commissions abolished by the bill), property, records, and unexpended balances of appropriations which relate to the functions are also transferred. Provision is made for the settling of disputes which may arise out of such transfers.

Any statute, regulation, or other action relating to any officer or agency from which any function is transferred by the bill shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made. No pending judicial or administrative action shall abate by reason of the provisions of the bill becoming effective, but such actions shall continue with appropriate substitutions of parties.

The purpose underlying this title is to provide continuity in the transfer of existing personnel, property, and funds; to continue in effect present statutes and regulations; and to provide for orderly disposition of pending actions and proceedings.

TITLE XI—SEPARABILITY OF PROVISIONS

This title provides that, should a part of the act be held invalid, the remainder of its provisions shall not be affected thereby.

TITLE XII—TEMPORARY PROVISIONS

The President of the United States is authorized and requested to take such action during the transition period between the enactment of the bill and the first meeting of the Council as he deems necessary to enable the Board of Elections properly to perform its functions. The sum of \$500,000 is authorized to be appropriated to the District to pay the expenses of the Board of Elections and in otherwise carrying into effect the provisions of the bill. The full amount of expenditures made under this authorization shall be reimbursable by the District to the United States during the fiscal year ending June 30, 1962.

TITLE XIII—EFFECTIVE DATES

The charter (titles I to XI, inclusive, and titles XV, XVI, and XVII) shall take effect on the day following the date on which it is accepted in the charter referendum provided by title XIV, except as specified in section 1406, except that part 2 of title III, title V, and title VII shall take effect January 1, 1959, and section 402 shall take effect on the day upon which the Mayor first elected takes office. Titles XII, XIII, and XIV shall take effect on the day following the date on which this act is enacted.

TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

The bill provides that on a date to be fixed by the Board of Elections, not more than 9 months after the enactment of the act, a referendum shall be conducted to determine whether the registered qualified electors of the District accept the charter. The Board of Elections established under the District Primary Act is charged with duties of registration and the holding of the charter referendum. Provision is made for the form of ballot to be used in the referendum and for the method of voting. If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be accepted as of the time the Board of Elections certifies the result to the President, which must be done not later than 30 days after the date of the referendum. The bill contains a prohibition against the interference with the registration or voting of any qualified elector in the referendum.

TITLE XV—DELEGATE

The bill provides for a Delegate from the District of Columbia to the House of Representatives. He shall have the right of debate, may make any motion, except to reconsider, shall be a member of the House Committee on the District of Columbia, but may not vote, which is the same status as the Territorial Delegate. His term of office shall be for 2 years. No person shall hold the office of District Delegate unless he is a qualified elector, at least 25 years old, holds no other public office, is domiciled and resides in the District, and during the 3 years next preceding his nomination (a) has been resident in and domiciled in the District and (b) has not voted in any election (other than in the District) for any candidate for public office. The bill amends several statutes relating to a Territorial Delegate and the Federal Corrupt Practices Act, to make them applicable to the District Delegate. The Delegate is to be elected as provided in title VIII.

TITLE XVI—REFERENDUM

The bill provides that the qualified electors shall have power to approve or reject in a referendum any act of the Council, or part or parts thereof, which has become law, whether or not such act is yet operative. This power shall not extend, however, to acts authorizing the issuance of bonds, which are subject to the provisions contained in section 602 or to acts continuing existing taxes, or making appropriations which in the aggregate are not in excess of those for the preceding fiscal year. Within 45 days after an act subject to this title has been enacted, a petition signed by qualified electors equal in number to at least 10 percent of the number who voted at the last preceding general election may be filed with the secretary of the Council requesting that any such act, or any part or parts thereof, be submitted to a vote of the qualified electors. The Board of Elections is charged with conducting any referendum under this title.

When a referendum petition has been certified as sufficient, the act or parts thereof specified in the petition shall not become operative, or further action shall be suspended if it shall have become operative, until and unless approved by the electors as provided in this title. If the secretary of the Council has not specified the particulars in which a petition is defective within 30 days after filing, the petition shall be deemed sufficient for the purposes of this title. An act which is submitted to a referendum which is not approved by a majority of the qualified electors shall be deemed repealed.

TITLE XVII—INITIATIVE

Subject to the provisions of section 324 of the bill, the qualified electors are given the power, independent of the Mayor and Council, to propose and enact legislation relating to the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District.

In exercising the power of initiative, not more than 10 percent of the number of qualified electors voting in the last preceding general election shall be required to propose any measure by initiative petition. The method for holding elections under the initiative procedure is set forth in this title.

TITLE XVII—TITLE OF ACT

Provides that this act, divided into titles and sections according to the table of contents, and including the declaration of congressional policy, which is a part of such act, may be cited as the "District of Columbia Charter Act."

The Commissioners of the District of Columbia have advised the committee that the cost of changing over to the new form of government will probably be relatively minor. They stated that initially some increased cost would be incurred due to the necessity of holding elections and paying the salaries of the new officials. They also stated that at the same time it may be anticipated that there will be some offset economies, as for example, more advantageous interest rates on borrowing would probably result from authorizing the District to incur bonded indebtedness.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law in the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

(16 Stat. 419)

【That all that part of the territory of the United States included within the limits of the District of Columbia be, and the same is hereby, created into a government by the name of the District of Columbia, by which name it is hereby constituted a body corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this act.】

(20 Stat. 102)

PRESENT ORGANIC ACT, § 1

【That all the territory which was ceded by the State of Maryland to the Congress of the United States for the permanent seat of the government of the United States shall continue to be designated as the District of Columbia. Said District and the property and persons that may be therein shall be subject to the following provisions for the government of the same, and also to any existing laws applicable thereto not hereby repealed or inconsistent with the provisions of this act. The District of Columbia shall remain and continue a municipal corporation, as provided in section two of the Revised Statutes relating to said District, and the Commissioners herein provided for shall be deemed and taken as officers of such corporation; and all laws now in force relating to the District of Columbia not inconsistent with the provisions of this act shall remain in full force and effect.】

(U.S.C., 1946 edition, title 31, sec. 2)

SEC. 2. DEFINITIONS. When used in sections 1, 2, 11, 13-24, 41-43, 44-47, 49, 52-55, 71, 471, and 581 of this title—The terms “department and establishment” and “department or establishment” mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including any independent regulatory commission or board [and the municipal government of the District of Columbia], but do not include the legislative branch of the Government or the Supreme Court of the United States;

(53 Stat. 1147; 54 Stat. 771)

SEC. 16. Whenever the United States Civil Service Commission determines that, by reason of special or unusual circumstances which exist in *the District of Columbia* or any municipality or other political subdivision, in the immediate vicinity of the National Capital in the

States of Maryland and Virginia, or in municipalities the majority of whose voters are employed by the Government of the United States, it is in the domestic interest of persons to whom the provisions of this Act are applicable, and who reside in such municipality or political subdivision, to permit such persons to take an active part in political management or in political campaigns involving such municipality, or political subdivision, the Commission is authorized to promulgate regulations permitting such persons to take an active part in such political management and political campaigns to the extent the Commission deems to be in the domestic interest of such persons.

LEGISLATIVE REORGANIZATION ACT OF 1946, AS AMENDED

SEC. 601. (a) Effective on the day on which the Eightieth Congress convenes, the compensation of Senators, Representatives in Congress, Delegates [from the Territories], and the Resident Commissioner from Puerto Rico shall be at the rate of \$22,500 per annum each; and the compensation of the Speaker of the House of Representatives shall be at the rate of \$35,000 per annum each.

PUBLIC LAW 854—JULY 31, 1956 (70 STAT. 743)

CIVIL SERVICE RETIREMENT

SEC. 401. The Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"DEFINITIONS

"SECTION 1. Wherever used in this Act—

"(a) The term 'employee' shall mean a civilian officer or employee in or under the Government and, except for purposes of section 2, shall mean a person to whom this Act applies.

"(b) The term 'Member' shall mean the Vice President, a United States Senator, Representative in Congress, Delegate [from a Territory], or the Resident Commissioner from Puerto Rico, and, except for purposes of section 2, shall mean a Member to whom this Act applies."

(2 U.S.C., sec. 37; 38 Stat. 458)

HOUSE OF REPRESENTATIVES

For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, \$3,304,500.

The salaries of Representatives in Congress, Delegates [from Territories], and Resident Commissioners, elected for unexpired terms, shall commence on the date of their election and not before.

(2 U.S.C., sec. 241; 43 Stat. 1070)

SEC. 302. * * *

(i) The term "State" includes Territory and possession of the United States *and the District of Columbia*.

(18 U.S.C., sec. 591; 62 Stat. 719)

SEC. 591. DEFINITIONS

* * * * *

The term "State" includes Territory and possession of the United States *and the District of Columbia*.

SEC. 594. INTIMIDATION OF VOTERS

Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and possessions, *or the District of Columbia*.

SEC. 595. INTERFERENCE BY ADMINISTRATIVE EMPLOYEES OF FEDERAL, STATE, OR TERRITORIAL GOVERNMENTS

Whoever, being a person employed in any administrative position by the United States, or by any department or agency thereof, or by the District of Columbia or any agency or instrumentality thereof, or by any State, Territory, or possession of the United States, or any political subdivision, municipality, or agency thereof, or agency of such political subdivision or municipality (including any corporation owned or controlled by any State, Territory, or possession of the United States or by any such political subdivision, municipality, or agency), in connection with any activity which is financed in whole or in part by loans or grants made by the United States, or any department or agency thereof, uses his official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Resident Commissioner from any Territory or possession, *or the District of Columbia*, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.



The United States of America and the United Kingdom of Great Britain and Ireland

have agreed to the following

Article 1. The United States of America and the United Kingdom of Great Britain and Ireland have agreed to the following

Article 2. The United States of America and the United Kingdom of Great Britain and Ireland have agreed to the following

Article 3. The United States of America and the United Kingdom of Great Britain and Ireland have agreed to the following